

## INDIANA LEGISLATURE.

[Omissions and curtailments of this report for want of space in this column will appear in an appendix to Volume XXII of the Brevier Legislative Reports.]

## IN SENATE.

MONDAY, FEB. 16, 1885—10 a. m.

## DITCH LAW.

Mr. McINTOSH offered a resolution directing the Committee on Swamp Land and Drains to prepare and introduce a bill to repeal an act concerning drains, approved April 8, 1881.

Mr. CAMPBELL, of St. Joseph: I hope that this resolution will not pass. It proposes to give an expression of this Senate upon the Circuit Court drainage law. The experience in our part of the State is that this is the most effective and the most economical drainage law that we have ever had. Under its provisions economical and effective work has been done, and I have reason to suppose that in both of the counties that I represent, as well as in all counties where drainage is desirable, it would be regarded as a great calamity if this law were repealed. In my counties I understand it has steadily grown in favor. We have had able and judicious commissioners, and if all counties will see that they have such, I think opposition to the bill will cease.

Mr. SELLERS did not think this resolution should be passed. So important a matter should not be considered in the absence of so many Senators. He moved it be made a special order for 2 o'clock Thursday.

The motion was agreed to.

## COUNTY OFFICERS' TERMS.

The joint resolution (H. R. 1) proposing an amendment to the State Constitution by declaring that County Clerks, Auditors, Treasurers, Sheriffs, Coronors, and Surveyors shall be elected for a term of four years and eligible to hold office for a term of eight years, coming up with a committee amendment that the terms of such officers shall commence on the first day of January after their election, and excepting Surveyors from the restriction—

Mr. CAMPBELL, of Hendricks: The committee thought best to except Surveyors from the restriction for a four-year term because in many counties there is a difficulty in obtaining good and well qualified Surveyors. Mr. CAMPBELL, of St. Joseph, could see no reason why Clerks, Treasurers and Sheriffs should not hold office four years the same as Auditors, Coronors, and Surveyors. Neither could he conceive why the simple fact of a man having had such an office for four years should be a reason—and the only reason—to preclude such an one from holding that office for four years if the people so desire. If this resolution must pass as it is the proposed amendment excluding the Surveyor from re-election is desirable. He moved to amend by striking out the restriction against re-election.

Mr. FOWLER opposed this amendment. Wherever there is an office elected at stated terms the motive to secure a re-election at all hazards should be removed.

Mr. WINTER: Such an amendment would be in contravention of a constitutional restriction that no one shall serve more than eight years in a term of twelve. Mr. CAMPBELL, of Hendricks, thought the constitutional restriction a mere one to prevent scheming for re-election.

The amendment (Mr. Campbell's) was rejected.

Mr. MACY offered an amendment that appointees shall hold only till the January next succeeding a general election.

It was agreed to.

Mr. SELLERS moved to exempt from this proposed prohibition the Clerk as well as the Surveyor. There is as much difficulty in finding efficient Clerks as well as Surveyors.

Mr. FOWLER called up the special order, being his resolution offered Saturday afternoon. He said: There seems to be an imperative necessity for some such action as this. He hoped the resolution would pass, but would not detain the Senate by advocating it.

Mr. WINTER moved to amend the resolution by inserting after the word "State" these words: "And providing for grading the salaries of the Judges according to the population of the circuits and the services required."

The amendment was agreed to.

The resolution as amended was adopted.

## AFTERNOON SESSION.

## SUPERIOR COURT CLERK DUTIES.

Mr. MACY's bill (S. 80) to amend Sections 4285 and 4286 of the Code, and to make a special order for this hour, Mr. MACY explained its provisions. It proposes, among other things, to increase the bond of the Clerks, which is ridiculously small, from \$2,000 to \$10,000.

Mr. CAMPBELL, of Hendricks, read the statute governing the Clerks of the Circuit Courts in the keeping of amounts of moneys received for fees. If this is a good law for Clerks of Circuit Courts it would be a good law for Clerks of the Supreme Court, which this bill proposes. This bill ought to pass because the law should apply to Clerks of both courts.

Mr. BAILEY thought this bill of sufficient importance to demand the attention of every Senator. It is a very wise and useful measure. It proposes to throw open to the public the office of the Supreme Court, when Clerks and Sheriffs of counties are the only parties interested. It would open to the public the books of the Clerk, so that all classes of ferrets and shysters can go in that office and run down any fees that may be lying there uncollected. A man living in Randolph County has a power of attorney from 800 men, authorizing him to go into the Supreme Court Clerk's office and collect such fees. If any, as may be due them. There is no reason for the passage of a law to make the Clerk or his deputy a criminal, if he should refuse to drop his business at the time to allow a ferret to come in and overtake his books. Then, to make the record proceed in this law would cost this Clerk several thousand dollars. He ought not to pass a law simply to give power to one man to reap a rich harvest. He moved to indefinitely postpone the bill.

Mr. WINTER did not know till this bill came up there was such a weak place in the law as to allow a public officer to come into possession and claim as individual property certain fees, and carry them away upon going out of office. This bill proposes to cure this defect. Then there is no law requiring the Clerk of the Supreme Court to keep a record of fees paid in. The books ought to be a public record.

Mr. McINTOSH stated that every member of the committee who considered this bill was in favor of its passage. He hoped the bill will not be indefinitely postponed.

Mr. SELLERS thought the bill (S. 123) which requires the Clerk of the Supreme

Court to keep a public record in which will be kept a register of these fees, and turn them over to his successor, is sufficient legislation in this direction. He favored the indefinite postponement of this bill.

Mr. SMITH, of Jennings, understood this bill to be in the interest of a job or a few fellows who are in a close co-operation to ferret out some dead fees in the office of the Supreme Court Clerk. In all courts, under the present machinery, any citizen can get his fees without employing a ferret. There are no fees belonging to anybody except those those paid in for transcript of record, and where a writ issues from the Supreme Court to the Sheriff of any county and the Sheriff makes the service, The Sheriff in the court below keeps a record of his own cost, and does not need a ferret. This bill proposes to make the Clerk go to the expense of \$5,000 to make a record, going back so many years, in order that some fellow may find out how much the Clerk of the Supreme Court makes out of his office.

The present statute covers all that should be required of this or any other public officer in this respect. The presumption is that every officer performs his duties until the contrary is made to appear. We should not cast reproach upon them.

Mr. WILLIAMS: The Clerk of the Supreme Court has no collection of costs, but the Sheriff, who is a responsible officer, filing a bond in a large sum. The Senator from Jennings has shown the law, as at present, is ample. This bill seems to be the offspring of a desire on the part of the Republicans to put down and absolutely ruin every office in Indiana, seeing they are barred out for a long time. Another purpose has been referred to—that of delegating some attorney who wants to go nosing around that office as a ferret.

He overrode the previous question.

The demand was not seconded by the Senate.

Mr. FOWLER: This bill contemplates the keeping of a record from and after its passage only. It will cost nothing for the Clerk of the Supreme Court to keep his books. Fair dealing is not afraid of the day-light. The people of the State should know how much any public officer obtains by the way of fees or otherwise as compensation. The Clerk of the Supreme Court will not let it be known what fees are in his possession. There is no danger of a bill which simply provides that the books of the Clerk of the Supreme Court shall be thrown open. There is no valid reason why these records should not be made the public property of every citizen in the State.

Mr. FOWLER: This bill has been misrepresented or misunderstood. If this bill is in the interest of a job he favored the bill. He could see no job in it, however. Every man who assists in the support of a public officer should be held responsible for the privilege of examining the records of such office. This bill only requires the keeping of a record of fees after its passage. It is a good bill and ought to pass.

Mr. MAGEE had just read the bill, but saw nothing wrong in it. The Clerk is not here resisting this bill nor asking friends to be his for the bill with proper restrictions.

Mr. MACY understands the Clerk now keeps just such a record as the bill requires.

Mr. BAILEY withdrew his motion to indefinitely postpone this bill.

On motion by Mr. MAGEE, the bill was referred to a special committee of three with instructions to report to-morrow at 2 p. m.

## PURDUE UNIVERSITY APPROPRIATION.

On motion by Mr. JOHNSON, of Tippecanoe, the bill (H. R. 13—see page 113) to appropriate \$10,000 to Purdue University was read the third time. He was physically unable to raise his voice in such a manner as he desired in favor of this bill. He had not the strength to go into the details of the present management, but spoke a few words in favor of the immediate passage of the bill.

The bill finally passed the Senate by yeas 34, nays 6.

Mr. CAMPBELL, in explanation, said: I have persistently opposed the establishment of a college of that kind at the expense of the people of the State, as going beyond the limit of education by taxation, and having voted against the original bill creating this university. I now vote "no."

Mr. FOWLER, in explanation of his vote, said: I was recently at Purdue University, and made a thorough inspection of this college with one or more of the professors. I am satisfied it is doing a great and a good work, therefore I vote "yes."

Mr. FOWLER, when his name was called, said: In explanation of my vote I want to read an extract from a speech of a Senator on this floor two years ago. He lives in the neighborhood of this university, and I read it in explanation of my vote. First, Mr. MACY's remarks, bottom of first column, page 27, Brevier Reports, volume XXI. On that information I vote "no."

Mr. THOMPSON said: I am pleased with a great many of the benevolent institutions of this State, but I have visited none that gave me such an exalted idea of the proper mode of instruction as Purdue University did. It draws the student from his books sufficiently to give him practical ideas of life, and at the same time turns him out a scientific gentleman. I saw perhaps fifty young ladies carving wood—opening up avenues to ladies, and giving them not only a scientific, but a mechanical education. I vote "aye."

The vote was then announced as above, and then the Senate adjourned.

## HOUSE OF REPRESENTATIVES.

MONDAY, FEB. 16, 1885—2 p. m.

## SCHOOL SUPERINTENDENTS.

Mr. PLEASANTS' bill (H. R. 64) concerning the duties of County Superintendents, coming up on the second reading—

Mr. SMITH, of Tippecanoe: I believe this is the bill said to render County Superintendents more efficient; however, I move that the bill be indefinitely postponed.

Mr. PLEASANTS: The bill will rectify a gross imposition practiced by County Superintendents. By its provisions, instead of a County Superintendent continually visiting schools as he may please, in order to put in time and draw his salary, such visits are put into the hands of and controlled by Township Trustees. A great many schools need no visiting at all.

Mr. SMITH, of Tippecanoe: There are two reasons, especially, why this bill should not pass. It provides that the County Superintendent shall visit every school a half day of each year. Taking my county as a sample, you would be compelling to extend the calendar to provide for it. You might as well strike down our whole school system as to bind it as this bill will do.

Mr. LOYD: County Superintendents are already paid by law for days actually employed, but all of them draw full compensation for every working day in the year. The Superintendent in our county draws per annum \$1,300, and the school has only a five-months term, per year. These salaries keep increasing. It is not, I say, the fault of the County Superintendents that they draw a salary for every working day in the year, but the fault of the law.

Mr. CORY: This is a very important question and should be looked at calmly and acted upon deliberately. The bill is a proposition to strike out of existence the office of County Superintendent virtually, I say, to destroy it. The bill provides that

County Superintendents shall visit schools only when invited by Township Trustees. Now, many of the Township Trustees are arrayed against the office of County Superintendent, and they would not permit such officers to visit the schools under their jurisdiction. The gentlemen of this House should look well before they strike this fatal blow at our Public School system. Though there may be but five months school term in a year, yet the Superintendent has other duties, and many of them, to perform. He has those duties that the law provides—nothing more, nothing less. This effort to stab our school system should be driven from this hall at once.

Mr. BROWNING: I sincerely hope that the motion to indefinitely postpone the bill will prevail. Last week some on the floor of this House contended that the Township Trustees were not competent to elect the County School Superintendents—that they should be selected by the State Board of Education. Now they come at us with the proposition to have these Trustees stand over and guard the Superintendents. If you want to repeal the law, and destroy the office come out boldly and say so.

Mr. PATTEN: The idea of a man standing on the floor of this House and talking about stabling our public school system is absurd. It certainly is not the intention of the law-makers or the taxpayers to have this law to create an office for somebody. The laws are to advance the education of the children. Twelve years ago we got along well enough with the plain School Board. Now we have Boards of Education, Trustees, and a County School Superintendent. And this Superintendent rides around and draws his \$1 per day for riding in his buggy or a sleigh. Gentle men, it is robbery—nothing less. The rich can send their children to private schools, but the poor must be content with the public schools. And would it not be better for this money—this \$4 per day—to be expended in another direction? Apply it where it will benefit the children; give them nine months of school, and then dismiss them for five months. The County Superintendents of this State cost on an average of \$1,200 each.

Mr. MOODY: I have the figures to show that the average is not \$400 each per year.

Mr. PATTEN: Even that is too much for the good they do.

Mr. CORY: Does the gentleman know that the County Superintendent is not paid out of the million fund, and therefore the money paid him could not be used in extending or lengthening the terms of school?

Mr. PATTEN: I know that, but it comes of the tax-payers people all the same. Remember the people have a title difference. Keep the money at home and give your children the benefit of it. No County Superintendent has a right to call upon a school at the rate of \$4 per day, unless his distinguished presence is needed there. All there is to it is in the case of an incident or for especially severe weather, but the birds rarely use them.

About every six weeks the plucking takes place. Only the breast and portions of the sides are touched, the feathers of the back, the wings and the tail being left intact. It requires nearly 100 average geese to furnish a pound of down, though the smaller feathers, which are also taken, weigh much heavier. These feathers, however, form an entirely separate grade of product from the valuable down.

The average life of a goose is said to be about forty years, and they produce from six to ten eggs per annum, a large proportion of which are hatched. A bird hatched in the month of August, and plucked the following August, and so on thereafter every six or eight weeks. The feathers are packed in sacks and sent to the Philadelphia fairs, where they are trimmed, washed, steamed and otherwise prepared for their ultimate uses. In adulterating the down for the cheaper grades of goods are chopped up fine and then mingled with the more valuable material. So practiced are some manufacturers that it requires an expert to distinguish between the grades. The down, which is the only one of pure innocence in the country, makes nothing but the finer goods. Heretofore the down and feathers used in American markets have been imported.

Gophers and Mole in Orchards. A correspondent of a San Francisco paper writes: If a patent could be secured for the effectual expulsion of gophers from orchards the patentee would be likely to realize a fortune there. And yet the plan is within reach of all. While pruning the orchard of S. B. Marcus, who lives a few miles east of Watsonville, I was struck with the thrifty appearance of the trees and the total absence of any sign of gophers. On inquiry, Mr. Marcus informed me that a few years ago he was very much troubled by the gophers in the orchard, and made sad havoc among the trees, nearly destroying them. Having previously observed that the ground mole would not work in or near manure heaps, he came to the conclusion that manure, as applied to the roots of his trees might possibly prevent the depredations of the gopher. The result more than met his expectations. Since he has commenced putting manure about the roots of his trees not a gopher has been seen, nor even the signs of their burrows. The trees have been greatly benefited by this manuring. Mr. Marcus says he simply digs away the soil from the trees, and places a few forkful of stable manure around the trunks of the trees. He covers it over with the soil. He uses more manure than can be conveniently covered, he spreads it about the trunk of the tree. By this simple device he has not only driven these pests from his orchard, but greatly benefited it by enriching the soil. Mr. Marcus deserves a gold medal for his ingenuity in this discovery. And it affords me much pleasure to be able to give to the public through the columns of your widely-circulated journal, which I find in nearly every household where I go.

Ohio's crop of maple sugar last year was 1,068,000 pounds and 364,198 gallons of sirup, the product of 2,800,000 trees. The sugar brought from nine to twelve cents per pound, and the sirup about seventy-five cents per gallon.

Botheration Among the Doctors. There is a breeze in the St. Louis Medical Society over certain breaches of the code. Several physicians had "specialties" and advertised them. This being contrary to medical ethics, necessitated the resignation of these physicians. How queer it seems that when a good means of cure is found, anybody should object to making it public. It is no secret that many physicians use Brown's Iron Bitters in their regular practice, with the happiest effect. Dr. M. E. Dougherty, Franklin, Va., says: "I am highly pleased with Brown's Iron Bitters, and believe it to be superior to all other iron preparations."

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Horsford's Acid Phosphate. Dr. C. A. Fernald, Boston, Mass., says: "I have used it in cases of impaired nerve function, with beneficial results, especially in cases where the system is affected by the toxic action of tobacco."

Real Estate Transfers. The following deeds were recorded Monday, February 16, as reported by Steeg & Bernhamer.

abstract corners, 12 and 18 Thorpe Block.

Telephone, 1,048.

Phoebe J. Warman to Mary Nagel, warranty deed to part of the northwest quarter of section 4, township 15, range 3, east—containing—

John C. New, executor, to John Christ Johnson, executor's deed to part of lots 26, 27 and 28 in square 6 in Beaty's addition to the city of Indianapolis.

William Wallace, Receiver in cause No. 32 588 Superior Court, to Charles J. M. Shearer, Receiver's deed to lot 14 in Sullivan's subdivision of lot 16 in Albert S. Fletcher's first addition to the city of Indianapolis.

Rory Stoltz and wife to Ferdinand Rudler, warranty deed to lot 31 in square 27 in Beaty's addition to the city of Indianapolis.

Abie R. White to David A. Ralston and wife warranty deed to lot 36 in Pettibone & Richards' subdivision of Highland Home addition to the city of Indianapolis.

Marshall H. Mallory to Thomas G. Lee, warranty deed to lot 5 in Oliver's subdivision of block 3 in Johnson's heirs' addition to the city of Indianapolis.

Lydia Kingsbury to Charles A. Evans, warranty deed to lot 3 in block 4 of Bradshaw's subdivision of part of lots 33 and 35 in the city of Indianapolis.

Conveyances, 7; consideration—\$4,250 00.

A Farm for Breeding Geese. (Philadelphia Press.)

The only goose ranch—that is, a farm devoted to the breeding and care of geese—in this country is owned and operated by Philadelphia. The farm is located on the eastern shore of Virginia, and covers nearly 3,000 acres, over which the natural occupants are free to roam. In England there are a number of such farms, some of them having as high as 1,000 geese. The American one is of much larger proportions, at its largest number in the neighborhood of 5,000 birds.

In certain textile branches of trade the down and feathers of geese are the main raw materials. The manufacture of fine quilts and the preparation of certain articles of dress are done down, and in cheaper grades of goods the young and soft feathers are used in the way of adulteration. The large and strong feathers of the tails and wings go mainly into the quilt pens used by professional engrossers, lawyers, clergymen, authors and others. These are too tough for much use in the textile productions mentioned above.

The American farm is devoted exclusively to producing the raw materials needed for the fine down quilts. Several species of geese are bred, all of them being, however, of American lineage. The largest specimens are the swan geese, and the plumage of all is of superb descent. The birds are regularly fed with corn and other grains, and are given the utmost freedom consistent with the prevention of straying and loss. In consequence men are employed as herders to keep a watchful eye on their charges. Sheds for shelter are provided in case of inclement or especially severe weather, but the birds rarely use them.

About every six weeks the plucking takes place. Only the breast and portions of the sides are touched, the feathers of the back, the wings and the tail being left intact. It requires nearly 100 average geese to furnish a pound of down, though the smaller feathers, which are also taken, weigh much heavier. These feathers, however, form an entirely separate grade of product from the valuable down.

The average life of a goose is said to be about forty years, and they produce from six to ten eggs per annum, a large proportion of which are hatched. A bird hatched in the month of August, and plucked the following August, and so on thereafter every six or eight weeks. The feathers are packed in sacks and sent to the Philadelphia fairs, where they are trimmed, washed, steamed and otherwise prepared for their ultimate uses. In adulterating the down for the cheaper grades of goods are chopped up fine and then mingled with the more valuable material. So practiced are some manufacturers that it requires an expert to distinguish between the grades. The down, which is the only one of pure innocence in the country, makes nothing but the finer goods. Heretofore the down and feathers used in American markets have been imported.

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## TEST YOUR BAKING POWDER TO-DAY.

Brands advertised as absolutely pure

CONTAIN AMMONIA.

THE TEST!

Place a cup top down on a hot stove until heated, then

pour the water over and smelt. A chemical will not be so

sure to detect the presence of ammonia.

DR. PRICE'S